

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION—DIVISION OF FINANCIAL ASSISTANCE
SEPTEMBER 7, 2005

ITEM 2

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING FUNDING FROM THE STATE WATER POLLUTION CLEANUP AND ABATEMENT ACCOUNT (CAA) FOR CONTRACT SUPPORT SERVICES FOR THE DEVELOPMENT OF SEDIMENT QUALITY OBJECTIVES (SQOs) AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE, EXECUTE, AND AMEND CONTRACTS FOR DEVELOPMENT OF SQOs

DISCUSSION

In 2001, the Sacramento County Superior Court ordered the State Water Resources Control Board (State Water Board) to adopt SQOs pursuant to California Water Code §13393 (CWC§13393). The law requires the State Water Board to adopt SQOs for toxic pollutants that have been identified in toxic hot spots in the State's bays and estuaries as part of the Bay Protection and Toxic Cleanup Program. On May 21, 2003, the State Water Board adopted the Revised Workplan for the Development of SQOs for Enclosed Bays and Estuaries and immediately initiated a program to develop SQOs for water bodies where existing data were available to identify and assess appropriate tools and indicators. While the State Water Board has made significant progress within major bays and harbors, the lack of adequate data from estuaries and smaller embayments prevented similar progress in these water bodies. This Phase II effort will focus the development of SQOs on estuarine habitats, including the Sacramento-San Joaquin Delta. Unlike the Phase I efforts, this phase will require data collection.

The law requires that the SQOs be scientifically based, provide adequate protection for the most sensitive aquatic organisms, and reasonably protect beneficial uses. Due to the complex interaction between contaminants, sediments and water, and the various processes that control bioavailability, organism sensitivity and bioaccumulation, development of SQOs is very time consuming and costly. It is estimated that \$2.565 million in contract support services will be required to complete the process pursuant to the CWC§13393.

POLICY ISSUE

Should the State Water Board approve funding of an additional \$2.565 million from the CAA in support of the Phase II development of SQOs for bays and estuaries and authorize the Executive Director to negotiate, execute, and amend contracts for the development of SQOs?

FISCAL IMPACT

The CAA has an uncommitted balance of \$2.9 million as of June 30, 2005. This amount does not include fines collected after May 31, 2005. The SQO Development Program is requesting \$2.565 million over six years. Therefore, it is recommended that the State Water Board approve a funding commitment of \$2.565 million on the following schedule: \$450,000 for Fiscal Year (FY) 2005-06, \$1.165 million for FY 2006-07, and the remaining \$950,000 on July 1, 2007.

Commitment of this money is based on a the following anticipated schedule:

FY 05/06 \$450,000	FY 07/08 \$450,000	FY 09/10 \$150,000
FY 06/07 \$1.165 million	FY 08/09 \$250,000	FY 10/11 \$100,000

Total Requested: \$2.565 million

REGIONAL WATER BOARD IMPACT

Yes. North Coast, San Francisco Bay, Central Coast, Los Angeles, Central Valley, Santa Ana, and San Diego Regional Water Quality Control Boards

STAFF RECOMMENDATION

That the State Water Board approves funding of an additional \$2.565 million from the CAA in support of the Phase II development of SQOs for bays and estuaries, and authorizes the Executive Director to negotiate, execute, and amend contracts for the development of SQOs. Commitment of this money is based on the following schedule: \$450,000 for FY 2005-06, \$1.165 million for FY 2006-07, and the remaining \$950,000 on July 1, 2007.

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2005 -

AUTHORIZING OF FUNDING FROM THE STATE WATER POLLUTION CLEANUP AND ABATEMENT ACCOUNT (CAA) FOR CONTRACT SUPPORT SERVICES FOR THE DEVELOPMENT OF SEDIMENT QUALITY OBJECTIVES (SQOs) AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE, EXECUTE, AND AMEND CONTRACTS FOR THE DEVELOPMENT OF SQOs

WHEREAS:

1. In 2001, the Sacramento County Superior Court ordered the State Water Resources Control Board (State Water Board) to adopt SQOs pursuant to the California Water Code §13393 (CWC§13393);
2. CWC§13393 requires that the SQOs be scientifically based, provide adequate protection for the most sensitive aquatic organisms, and reasonably protect beneficial uses;
3. The State Water Board has made significant progress within major bays; however, data is required to develop SQOs for estuarine habitats;
4. The State Water Pollution CAA is an appropriate source of funding for the SQO effort; and
5. The State Water Board will require the assistance of technical expertise provided by contractors at an estimated cost of \$2.565 million for this multiyear effort.

THEREFORE BE IT RESOLVED THAT:

The State Water Board approves funding of an additional \$2.565 million from the CAA in support of the Phase II development of SQOs for bays and estuaries, and authorizes the Executive Director to negotiate, execute, and amend contracts for the development of SQOs. Commitment of this money is based on the following schedule: \$450,000 for Fiscal Year (FY) 2005-06, \$1.165 million for FY 2006-07, and the remaining \$950,000 on July 1, 2007.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on September 7, 2005.

Debbie Irvin
Clerk to the Board